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APPLICATION NO.	F	TLING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/973,697	09/973,697 10/11/2001		Mikhail Boroditsky	03493.00175	6290
26652	7590	04/20/2005		EXAM	INER
AT&T CC	RP.		WANG, QUAN ZHEN		
P.O. BOX	4110				
MIDDLETOWN, NJ 07748				ART UNIT	PAPER NUMBER
	•			2633	

DATE MAILED: 04/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

		CK.			
	Application No.	Applicant(s)			
	09/973,697	BORODITSKY ET AL.			
Office Action Summary	Examiner	Art Unit			
	Quan-Zhen Wang	2633			
The MAILING DATE of this communication apperiod for Reply	pears on the cover sheet wi	th the correspondence address			
A SHORTENED STATUTORY PERIOD FOR REPL THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1. after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a rep - If NO period for reply is specified above, the maximum statutory period - Failure to reply within the set or extended period for reply will, by statut Any reply received by the Office later than three months after the mailin earned patent term adjustment. See 37 CFR 1.704(b).	136(a). In no event, however, may a naly within the statutory minimum of thirt will apply and will expire SIX (6) MON e, cause the application to become AB	eply be timely filed y (30) days will be considered timely. THS from the mailing date of this communication. IANDONED (35 U.S.C. § 133).			
Status					
1) Responsive to communication(s) filed on 21 L	December 2004.				
2a) This action is FINAL . 2b) ⊠ This	s action is non-final.				
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is					
closed in accordance with the practice under	<i>Ex parte Quayle</i> , 1935 C.D	. 11, 453 O.G. 213.			
Disposition of Claims					
4) Claim(s) 1-19 is/are pending in the application	١.				
4a) Of the above claim(s) is/are withdra	awn from consideration.				
5) Claim(s) is/are allowed.					
6) Claim(s) is/are rejected.					
7) Claim(s) is/are objected to.					
8) Claim(s) are subject to restriction and/o	or election requirement.				
Application Papers					
9) The specification is objected to by the Examina	er.				
10) The drawing(s) filed on is/are: a) acc		by the Examiner.			
Applicant may not request that any objection to the					
Replacement drawing sheet(s) including the correct	ction is required if the drawing	(s) is objected to. See 37 CFR 1.121(d).			
11) The oath or declaration is objected to by the E					
Priority under 35 U.S.C. § 119					
12) Acknowledgment is made of a claim for foreign	n priority under 35 U.S.C. §	119(a)-(d) or (f).			
a) ☐ All b) ☐ Some * c) ☐ None of:	, ,				
1. Certified copies of the priority documen	its have been received.				
2. Certified copies of the priority documen		pplication No			
3. Copies of the certified copies of the price					
application from the International Burea	*	-			
* See the attached detailed Office action for a lis	t of the certified copies not	received.			
Attachment(s)					
1) Notice of References Cited (PTO-892)		Summary (PTO-413)			
 Notice of Draftsperson's Patent Drawing Review (PTO-948) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08 		s)/Mail Date nformal Patent Application (PTO-152)			
Paner No(s)/Mail Date	6) Other:	- · · · · · · · · · · · · · · · · · · ·			

Application/Control Number: 09/973,697 Page 2

Art Unit: 2633

DETAILED ACTION

The amendment to the claims filed on 12/21/2004 does not comply with the requirements of 37 CFR 1.121(c). In the claim list of the amendment, claims 3 and 4 are labeled "cancel[ed]". According to 37 CFR 1.121(c), Item 4 (i), no claim text shall be presented for any claim in the claim listing with the status of "canceled" or "not entered." Amendments to the claims filed on or after July 30, 2003 must comply with 37 CFR 1.121(c) which states:

- (c) Claims. Amendments to a claim must be made by rewriting the entire claim with all changes (e.g., additions and deletions) as indicated in this subsection, except when the claim is being canceled. Each amendment document that includes a change to an existing claim, cancellation of an existing claim or addition of a new claim, must include a complete listing of all claims ever presented, including the text of all pending and withdrawn claims, in the application. The claim listing, including the text of the claims, in the amendment document will serve to replace all prior versions of the claims, in the application. In the claim listing, the status of every claim must be indicated after its claim number by using one of the following identifiers in a parenthetical expression: (Original), (Currently amended), (Canceled), (Withdrawn), (Previously presented), (New), and (Not entered).
- (1) Claim listing. All of the claims presented in a claim listing shall be presented in ascending numerical order. Consecutive claims having the same status of "canceled" or "not entered" may be aggregated into one statement (e.g., Claims 1–5 (canceled)). The claim listing shall commence on a separate sheet of the amendment document and the sheet(s) that contain the text of any part of the claims shall not contain any other part of the amendment.
- (2) When claim text with markings is required. All claims being currently amended in an amendment paper shall be presented in the claim listing, indicate a status of "currently amended," and be submitted with markings to indicate the changes that have been made relative to the immediate prior version of the claims. The text of any added subject matter must be shown by underlining the added text. The text of any deleted matter must be shown by strike-through except that double brackets placed before and after the deleted characters may be used to show deletion of five or fewer consecutive characters. The text of any deleted subject matter must be shown by being placed within double brackets if strike-through cannot be easily perceived. Only claims having the status of "currently amended," or "withdrawn" if also being amended, shall

Application/Control Number: 09/973,697

Art Unit: 2633

include markings. If a withdrawn claim is currently amended, its status in the claim listing may be identified as "withdrawn—currently amended."

- (3) When claim text in clean version is required. The text of all pending claims not being currently amended shall be presented in the claim listing in clean version, i.e., without any markings in the presentation of text. The presentation of a clean version of any claim having the status of "original," "withdrawn" or "previously presented" will constitute an assertion that it has not been changed relative to the immediate prior version, except to omit markings that may have been present in the immediate prior version of the claims of the status of "withdrawn" or "previously presented." Any claim added by amendment must be indicated with the status of "new" and presented in clean version, i.e., without any underlining.
 - (4) When claim text shall not be presented; canceling a claim.
- (i) No claim text shall be presented for any claim in the claim listing with the status of "canceled" or "not entered."
- (ii) Cancellation of a claim shall be effected by an instruction to cancel a particular claim number. Identifying the status of a claim in the claim listing as "canceled" will constitute an instruction to cancel the claim.
- (5) Reinstatement of previously canceled claim. A claim which was previously canceled may be reinstated only by adding the claim as a "new" claim with a new claim number.

Since the reply filed on 12/21/2004 appears to be *bona fide*, applicant is given a TIME PERIOD of **ONE (1) MONTH** or **THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to submit an amendment in compliance with 37 CFR 1.121 in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quan-Zhen Wang whose telephone number is (571) 272-3114. The examiner can normally be reached on 9:00 AM - 5:00 PM, Monday - Friday.

Art Unit: 2633

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Chan can be reached on (571) 272-3022. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

qzw 4/15/05